

REMARKS

This application has been carefully reviewed in light of the Examiner's Office Action dated June 15, 2005. Claim 1 has been amended, and claim 11 has been cancelled without prejudice. Reconsideration and full allowance are respectfully requested.

As noted by the Examiner in the June Office Action, the application is a Continuation of Application No. 10/029,453, which is now U.S. Patent No. 6,604,843. The first sentence of the application has been amended to reflect the same.

In relation to obtaining the filing date of the prior application in view of 35 U.S.C. §120 and 37 C.F.R. 1.78, Applicant directs the Examiner to: United States Patent and Trademark Office OG Notices: 18 March 2003, entitled: "Claiming the Benefit of a Prior-Filed Application under 35 U.S.C. 119(e), 120, 121, and 365(c)" having a link at <http://www.uspto.gov/web/offices/com/sol/og/2003/week11/patbene.htm>. As set forth by Part IV the notice:

Part IV: Office Practice to Not Require Petition and
Surcharge if Benefit Claim is Not Present in the Proper Place But is
Recognized By Office Continues But Applicants Are Advised That Proper
Reference Must be Presented

The reference required by 37 CFR 1.78(a)(2) or (a)(5) must be included in an application data sheet (37 CFR 1.76), or the specification must contain, or be amended to contain, such reference in the first sentence following the title. Previously, the Office indicated that if an applicant includes a benefit claim in the application but not in the manner specified by 37 CFR 1.78(a) (e.g., if the claim is included in an oath or declaration or the application transmittal letter) within the time period set forth in 37 CFR 1.78(a), the Office will not require a petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) to correct the claim if the information concerning the claim was recognized by the Office as shown by its inclusion on the filing receipt. If, however, a claim is included elsewhere in the application and not recognized by the Office as shown by its absence on the filing receipt, the Office will require

a petition and the surcharge to correct the claim. See Requirements for Claiming the Benefit of Prior-Filed Applications Under Eighteen-Month Publication Provisions, 66 Fed. Reg. 67087, 67089-90 (Dec. 28, 2001). The Office will continue to follow this practice.

Accordingly, Applicant would like to thank the Examiner for advising the proper reference must be submitted. Further, Applicant is enclosing a copy of the filing receipt which indicates the present application is a continuation of Application No. 10/029,453. Accordingly, applicant submits that no fee is due in relation to amending the reference.

The Examiner rejected claims 1, 4, 6, 12 and 13 under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 4,739,456 to Little in view of U.S. Patent No. 1,427,505 to Whyte. The Examiner objected to claims 7-11 as being dependent on a rejected base claim, but indicated that each claim would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner also allowed claims 24-42. As set forth below, all the claims are believed to be allowable as presented.

Independent claim 1 has been amended to include content of claim 11, which previously depended on claim 1. The Examiner indicated that claim 11 would be allowable if presented in independent form. Therefore, claim 1 and all claims depending therefrom are allowable.

Based upon the foregoing, Applicant believes that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

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